

From: ["Hamilton, Karen" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=464B97BC84BE4DD582A98FA4C0ADA6CE-HAMILTON, KAREN>](#)
To: [Ott](#)
[Toney;Perkins](#)
["Erin; Fowler"](#)
[Sarah](#)
CC:
Date: 12/1/2014 7:19:02 PM
Subject: Fwd: Question on waste treatment exclusion and jurisdictionof adjacent wetlands.

From: "Kaiser, Russell" <Kaiser.Russell@epa.gov>
Date: December 1, 2014 at 7:42:05 AM EST
To: "Hamilton, Karen" <Hamilton.Karen@epa.gov>, "Downing, Donna" <Downing.Donna@epa.gov>, "Christensen, Damaris" <Christensen.Damaris@epa.gov>
Cc: "Flannery-Keith, Erin" <Flannery-Keith.Erin@epa.gov>, "Goodin, John" <Goodin.John@epa.gov>
Subject: RE: Question on waste treatment exclusion and jurisdiction of adjacent wetlands.



Karen,

Yes, I agree that we should talk... Exemption 5 -Deliberative; Attorney Client

I look forward to learning more about the specifics of the case...

Note that I have also included Erin on the chain as she was a WD ORISE on the jurisdiction team and currently works with the WTE in Brian Frazer's office... Thus, I would be very interested to hear her thoughts on the case as well...

Thanks!

Happy Holidays!!!

Russell L. Kaiser
Chief, Wetlands & Aquatic Resources Regulatory Branch
1301 Constitution Ave., N.W.
Room 7217M West Bldg.
Washington, DC 20004
P: 202.566.0963

From: Hamilton, Karen
Sent: Wednesday, November 26, 2014 1:54 PM
To: Kaiser, Russell; Downing, Donna; Christensen, Damaris
Subject: Question on waste treatment exclusion and jurisdiction of adjacent wetlands.

Hi all

We have been working with the Corps on a JD for wetlands at the Climax Molybdenum Mine near Leadville, CO. Climax wants to extend its waste pile now that it is ramping up operations again. Climax claims that its waste treatment system ditches to carry polluted water to a line that takes the water to a treatment plant and interceptors to carry clean water around the waste pile, including the surrounding wetlands, comprise a waste treatment system under the 402 permit and so the area they want to fill is exempted from 404. **Exemption 5 -Deliberative; Attorney Client**

[REDACTED]

[REDACTED]

I know you all are overwhelmed with WOUS but if we could have 20-30 mins to talk through this with you and how to put it in writing for the Corps, given the expected appeal and lawsuit, it would be great. We will be meeting with the Corps again on the 17th of December.

Thanks and Happy Thanksgiving!

Karen

Karen Hamilton
Chief, Aquatic Resource Protection and Accountability Unit
US Environmental Protection Agency Region 8
1595 Wynkoop St.
Denver, CO 80202
303 312 6236

Protect our Nation's waters

From: Perkins, Erin
Sent: Wednesday, November 26, 2014 7:52 AM
To: Hamilton, Karen
Subject: RE: Please articulate what we need the program to answer on climax

Hi –

Exemption 5 -Deliberative; Attorney Client



Thanks!

Erin

From: Hamilton, Karen

Sent: Tuesday, November 25, 2014 2:47 PM

To: Perkins, Erin

Subject: Please articulate what we need the program to answer on climax

And I'll get it going.

